

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)



(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R - 14	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP 03 / 12936	International filing date (day/month/year) 09.10.2003	Priority date (day/month/year) 11.10.2002
International Patent Classification (IPC) or national classification and IPC Int.Cl. F28D9/00, F28D1/03		
Applicant SHOWA DENKO K.K.		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <div style="margin-left: 20px;"> a. <input type="checkbox"/> a total of _____ sheets, as follows: <div style="margin-left: 20px;"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> </div> <div style="margin-left: 20px;"> b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). </div>
4.	This report contains indications relating to the following items: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application </div>

Date of submission of the demand 22.03.2004	Date of completion of this report 20.12.2004
Name and mailing address of the IPEA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer NAGASAKI Yoichi <div style="float: right; border: 1px solid black; padding: 2px;"> 3M 3332 </div> Telephone No. +81-3-3581-1101 Ext. 3376

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP 03 / 12936

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☐ the description:
pages _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- ☐ the claims:
pages _____ as originally filed/furnished
pages* _____ as amended (together with any statement) under Article 19
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- ☐ the drawings:
pages _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1 - 17</u>	YES
	Claims	<u></u>	NO
Inventive step (IS)	Claims	<u>2 - 17</u>	YES
	Claims	<u>1</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 17</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations (Rule 70.7)

D1=JP 9-89477 A(SHOWA ALUMINUM CORPORATION)1997.04.04

D2=WO 02/63223 A(SHOWA DENKO K.K.)2002.08.15

The subject matter of claim 1 does not appear to involve an inventive step in view of the document D1 and the document D2 cited in the ISR.

D1 discloses a flat body used for a heat exchanger, comprising two plates and side walls.

D2 discloses a U-flow tube element used for a heat exchanger.

The skilled person in the art would easily conceive the idea of applying U-flow passage in D2 to the invention disclosed in D1.

The subject matters of claim 2-17 are neither disclosed in any of the documents cited in the ISR nor obvious to a person skilled in the art.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/ 12936

A. CLASSIFICATION OF SUBJECT MATTER
Int. Cl. F28D9/00, F28D1/03

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
Int. Cl. F28D9/00, F28D1/03Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Japanese Utility Model Gazette 1926-1996, Japanese Publication of Unexamined Utility Model Applications 1971-2003, Japanese Registered Utility Model Gazette 1994-2003, Japanese Gazette Containing the Utility Model 1996-2003

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

ECLA, F28D9/00, F28D1/03

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	JP 9-89477 A (SHOWA ALMINUM CORPORATION) 1997.04.04 (No family)	1
A		2-17
Y	WO 02/63223 A1 (SHOWA DENKO K.K.) 2002.08.15 & JP 2002-228299 A	1
A		2-17
A	WO 98/25093 A1 (SHOWA ALUMINUM CORPORATION) 1998.06.11 & EP 943884 A1 & JP 10-332284 A	1-17
A	JP 2001-280883 A (MITSUBISHI ALUMINUM CO., LTD) 2001.10.10 (No family)	1-17

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

08.01.2004

Date of mailing of the international search report

27.1.2004

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